

# In the United States Court of Federal Claims

## OFFICE OF SPECIAL MASTERS

No. 15-1114V

Filed: August 22, 2016

* * * * *	UNPUBLISHED
GLEND A NEHER,	*
	*
Petitioner,	*
	*
v.	Joint Stipulation on Damages;
	Influenza ("Flu") Vaccine; Guillain-
	Barré Syndrome ("GBS").
SECRETARY OF HEALTH	*
AND HUMAN SERVICES,	*
	*
Respondent.	*
* * * * *	

John R. Howie, Jr., Howie Law, P.C., Dallas, TX, for Petitioner.

Robert P. Coleman III, United States Department of Justice, Washington, DC, for Respondent.

### **DECISION**<sup>1</sup>

On October 2, 2015, Glenda Neher ("Petitioner") petitioned for compensation under the National Childhood Vaccine Injury Act of 1986, 42 U.S.C. §§ 300aa-1 to -34 (2012). Petitioner alleged that the administration of the Influenza ("Flu") vaccine, on January 11, 2013, caused her to develop Guillain-Barré Syndrome ("GBS").

The parties recently filed a stipulation, stating that a decision should be entered awarding compensation. Respondent denies that the Flu vaccine is the cause of Petitioner's alleged GBS or any other injury. Nevertheless, the parties agree to the joint stipulation, attached hereto as

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<sup>1</sup> Because this decision contains a reasoned explanation for the undersigned's action in this case, the undersigned intends to post this ruling on the website of the United States Court of Federal Claims, in accordance with the purposes espoused in the E-Government Act of 2002. *See* 44 U.S.C. § 3501 (2012). Each party has 14 days within which to request redaction "of any information furnished by that party: (1) that is a trade secret or commercial or financial in substance and is privileged or confidential; or (2) that includes medical files or similar files, the disclosure of which would constitute a clearly unwarranted invasion of privacy." Vaccine Rule 18(b).

Appendix A. The undersigned finds the stipulation reasonable and adopts it as the decision of the Court in awarding damages, on the terms set forth therein.

The parties stipulate that Petitioner shall receive a “lump sum payment of \$63,573.31 in the form of a check payable to [P]etitioner.” Appendix A at 2. They also specify that this “amount represents compensation for all remaining damages that would be available under 42 U.S.C. § 300aa-15(a).” *Id.*

The undersigned approves the requested amount for Petitioner’s compensation. Accordingly, an award should be made consistent with the stipulation.

In the absence of a motion for review filed pursuant to RCFC Appendix B, the clerk of the court **SHALL ENTER JUDGMENT** in accordance with the terms of the parties’ stipulation.<sup>2</sup>

**IT IS SO ORDERED.**

s/ Lisa Hamilton-Fieldman  
Lisa Hamilton-Fieldman  
Special Master

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<sup>2</sup> Entry of judgment is expedited by the parties’ joint filing of notice renouncing the right to seek review. Vaccine Rule 11(a).